



Substitute House Bill No. 5680

Public Act No. 08-64

AN ACT CONCERNING SURVIVORS' BENEFITS FOR MEMBERS OF THE STATE POLICE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 5-146 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2008*):

(a) If any member of the Division of State Police within the Department of Public Safety in employment on June 21, 1961, who has elected survivors' benefits, or any state police officer who commenced employment subsequent to June 21, 1961, and who in either event was not subject to the federal Insurance Contributions Act for such employment, dies from any cause before retirement from state service, leaving a surviving spouse or dependent unmarried children under the age of eighteen years, there shall be paid survivors' allowances from the State Employees Retirement Fund on and after July 1, 1982, on the following basis: (1) To the surviving spouse, a monthly allowance of five hundred fifty dollars commencing immediately upon the death of such member of the Division of State Police within the Department of Public Safety payable for the surviving spouse's lifetime; [or until subsequent remarriage;] (2) if there are less than three surviving dependent children, a monthly allowance of two hundred fifty dollars per child payable to the surviving spouse or

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other guardian until each child reaches the age of eighteen or until the child's marriage if such occurs earlier; (3) if there are three or more surviving dependent children, a monthly allowance of five hundred seventy-five dollars to be divided equally among all the dependent children; as each such dependent child reaches the age of eighteen years, or marries, if such occurs earlier, that child's share shall be deemed divided equally among the remaining surviving children, provided each child's share shall not exceed two hundred fifty dollars; when the shares of all but one of such surviving children have ceased, the pension to the remaining surviving child shall be two hundred fifty dollars.

(b) On July 1, 2001, and on July first of each subsequent year, any person who is eligible for the survivors' allowance under subsection (a) of this section shall be entitled, in addition to such survivors' allowance, to an annual cost-of-living allowance which reflects the increase, if any, in the national consumer price index for urban wage earners and clerical workers for the previous twelve-month period, provided such cost-of-living allowance shall not exceed three per cent. Such cost-of-living allowance shall be computed on the basis of the combined survivors' allowance and cost-of-living allowances, if any, to which such person was entitled as of the June thirtieth immediately preceding.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, survivors' allowances may be paid from the State Employees Retirement Fund in such amounts and commencing on such dates as may conform to the terms of any prevailing collective bargaining agreement effective on or after July 1, 1979, between the state and the employees' representative for state police officers. If survivors' allowances are paid in conformance with any such agreement, each person eligible for survivors' benefits under the terms of this section shall be paid such allowances.

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(d) The Retirement Commission shall, at least once every two years, prepare a valuation of the assets and liabilities of the fund with respect to the system of benefits provided by this section and sections 5-147 to 5-151, inclusive. Such valuation shall be prepared for the purpose of determining the cost of funding such system and the cost of funding such system on an actuarial reserve basis.

Approved May 12, 2008